

December 16, 2003

Nancy Kochan, Office Administrator
Western Office of Federal Agency Programs
Advisory Council on Historic Preservation
12136 West Bayaud Avenue, Suite 330
Lakewood, Colorado 80228

SUBJECT: PROGRAMMATIC AGREEMENT FOR THE PROPOSED GAS HILLS PROJECT
IN SITU LEACH URANIUM RECOVERY FACILITY (TAC L51702)

Dear Ms. Kochan:

As you are aware, the U.S. Nuclear Regulatory Commission (NRC) has been consulting with the U.S. Bureau of Land Management (BLM) and the Wyoming State Historic Preservation Officer (SHPO) to ensure the protection of cultural resources at the proposed Power Resources Inc. (PRI) Gas Hills Project *in situ* leach uranium recovery facility in Fremont and Natrona Counties, Wyoming. In this regard, in a letter dated April 8, 2003, the NRC informed the Advisory Council on Historic Preservation (Council) of its intent to develop a Programmatic Agreement with the BLM and SHPO to ensure that the Gas Hills Project is undertaken in accordance with the requirements of Section 106 of the National Historic Preservation Act (36 CFR Part 800). In your letter of response dated April 28, 2003, you indicated that the Council did not need to participate in consultation to resolve potential adverse impacts to cultural resources at the Gas Hills Project site, however, the NRC would need to file the completed Programmatic Agreement (signed by all Signatories) with the Council to complete the requirements of Section 106 of the National Historic Preservation Act.

The purpose of this letter is to inform the Council that the NRC, BLM, and SHPO (the Signatories) have completed the development of the Programmatic Agreement for protection of cultural resources at the Gas Hills Project site. PRI is also a Signatory to this Agreement. Accordingly, pursuant to the requirements of 36 CFR Part 800 (Protection of Historic Properties), the NRC is filing the Programmatic Agreement (Enclosure) with the Council. By copy of this letter, the other Signatories to the Programmatic Agreement (BLM, SHPO, and PRI) are provided with a signed copy of the Agreement.

The NRC staff has also completed an Environmental Assessment (EA) regarding the proposed Gas Hills Project and the EA includes a detailed assessment of the potential adverse impacts of the Project to cultural resources as related documentation for the Programmatic Agreement. A copy of the EA is being provided to you under a separate mailing.

If you have any questions regarding this letter, please contact Rick Weller, the Project Manager for the Gas Hills Project, at (301) 415-7287 or by e-mail to RMW2@nrc.gov.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Robert C. Pierson, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-8964
License No.: SUA-1548

Enclosure: Programmatic Agreement for the
Gas Hills Uranium Recovery Project

cc: J. Wolf, WY SHPO
J. Kelly, BLM Lander
C. Bromley, BLM, Lander
T. Nowak, BLM WY State Office
W. Kearney, PRI
M. Moxley, WDEQ
A. Stanfill, ACHP
D. Simpson, BLM WY State Office

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| OFC | FCFB | FCFB | FCFB | EPAB | OGC | FCFB | FCSS |
| NAME | R.Weller* | B.Garrett | R.Nelson | L.Kokajko | S.Treby | G.Janokso | R.Pierson |
| DATE | 11/21/03 | 11/25/03 | 11/25/03 | 12/2/03 | 12/11/03 | 12/15/03 | 12/16/03 |

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